

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT BILL OF COSTS FORM (Civil Cases)

Directions: Under FRAP 39(a), the costs of appeal in a civil action are generally taxed against appellant if a judgement is affirmed or the appeal is dismissed. Costs are generally taxed against appellee if a judgement is reversed. If a judgement is affirmed in part, modified, or vacated, costs are taxed as the court orders. A party who wants costs taxed must, within 14 days after entry of judgment, file an itemized and verified bill of costs, as follows:

- Itemize any fee paid for docketing the appeal. The fee for docketing a case in the court of appeals is \$500 (effective 12/1/2013). The \$5 fee for filing a notice of appeal is recoverable as a cost in the district court.
- Itemize the costs (not to exceed \$.15 per page) for copying the necessary number of formal briefs and appendices. (Effective 10/1/2015, the court requires 1 copy when filed; 3 more copies when tentatively calendared; 0 copies for service unless brief/appendix is sealed.). The court bases the cost award on the page count of the electronic brief/appendix. Costs for brief filed under an informal briefing order are not recoverable.
- Cite the statutory authority for an award of costs if costs are sought for or against the United States. See 28 U.S.C. § 2412 (limiting costs to civil actions); 28 U.S.C. § 1915(f)(1) (prohibiting award of costs against the United States in cases proceeding without prepayment of fees).

Any objections to the bill of costs must be filed within 14 days of service of the bill of costs. Costs are paid directly to the prevailing party or counsel, not to the clerk's office.

Case Number & Caption: Stanton v. Elliott, 21-1197 (4th Cir.), [2:19-CV-49 below]

Prevailing Party Requesting Taxation of Costs: Plaintiff Jeffrey Stanton as Administrator of the Crumbley Estate

Appellate Docketing Fee (prevailing appellants):			Amount Requested: <u>\$500</u>			Amount Allowed: _____	
Document	No. of Pages		No. of Copies		Page Cost (≤ \$.15)	Total Cost	
	Requested	Allowed (court use only)	Requested	Allowed (court use only)		Requested	Allowed (court use only)
Appellant's Brief	56		1		3.50	\$196.00	
Joint Appx. Vol. I	479		1		2.50	\$1197.00	
Joint Appx. Vol. II	9		1		2.50	\$22.50	
CD Exhibits			2		6.00	\$12.00	
Appellants Reply Brief	21		1		3.50	\$73.50	
Appellants Brief – Additional Copies	57		4		0.15	\$34.20	
Appellants Reply Brief Additional Copies	22		4		0.15	\$13.20	
Joint Appendix – Vol. I Additional Copies	480		4		0.15	\$288.00	
Joint Appendix – Vol. II Additional Copies	10		4		0.15	\$6.00	
CD Exhibits – additional copies			4		6.00	\$24.00	
TOTAL BILL OF COSTS:						\$2,366.40	

1. If copying was done commercially, I have attached itemized bills. If copying was done in-house, I certify that my standard billing amount is not less than \$.15 per page or, if less, I have reduced the amount charged to the lesser rate.
2. If costs are sought for or against the United States, I further certify that 28 U.S.C. § 2412 permits an award of costs.
3. I declare under penalty of perjury that these costs are true and correct and were necessarily incurred in this action.

Signature: James E. McKown

Date: 2/15/22

Certificate of Service

I certify that on this date I served this document as follows:

Using the CM/ECF system which will send electronic notice to defense counsel as follow:

Michael D. Mullins, Esquire
C. Haley Bunn, Esquire
Steptoe & Johnson, PLLC
Chase Tower, 17th Floor
707 Virginia Street East
P.O. Box 1588
Charleston, WV 25326-1588
Email: Michael.Mullins@steptoe-johnson.com

Signature: James A. McKown

Date: 2/15/22

Invoice**The Lex Group VA**

P.O. Box 1111
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 EIN #11-3707249

DATE	INVOICE NO.
4/28/2021	36487

CONTRACTING ATTORNEY

James A. McKowen
 JAMES F. HUMPHREYS & ASSOCIATES, LC
 Second Floor
 112 Capitol Street
 Charleston, WV 25301

RECORD NUMBER AND STYLE

21-1197
 Jeffery L. Stanton
 v.
 Cory Elliott, et al.

TERMS	LEX REP	FILING DATE
Net 30/1	LGJ	4/5/2021

DESCRIPTION	QUANTITY	RATE	AMOUNT
Consultation/Base Fee/4th Circuit		175.00	175.00
Brief of Appellant Original per page fee/4th Circuit (1 copy of 56 pages = 56)	56	3.50	196.00
Paralegal Fee (Format Brief/Compose TOC & TOA)	1	200.00	200.00
Volume I - Joint Appendix Original per page fee/4th Circuit (1 copy 479 pages = 479)	479	2.50	1,197.50
Volume II - Exhibit Joint Appendix Original per page fee/4th Circuit (1 copy of 9 pages = 9)	9	2.50	22.50
CD's for Volume II - Exhibit Joint Appendix	2	6.00	12.00
Federal Express/UPS - To Be Determined		11.11	11.11
Net 30/1.5% monthly late fee/Federal Tax ID 11-3707249		Total	\$1,814.11

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CONTRACTING ATTORNEY
James A. McKowen JAMES F. HUMPHREYS & ASSOCIATES, LC Second Floor 112 Capitol Street Charleston, WV 25301

RECORD NUMBER AND STYLE
21-1197 Jeffery L. Stanton, Administrator v. Cory E. Elliott, et al.

TERMS	LEX REP	FILING DATE
Net 30/1	LGJ	5/25/2021

DESCRIPTION	QUANTITY	RATE	AMOUNT
Consultation/Base Fee/4th Circuit		175.00	175.00
Reply Brief of Appellant Original per page fee/4th Circuit (1 copy of 21 pages = 21)	21	3.50	73.50
Paralegal Fee (Format Brief/Compose TOC & TOA)	1	200.00	200.00
Federal Express/UPS		8.92	8.92
Net 30/1.5% monthly late fee/Federal Tax ID 11-3707249		Total	\$457.42

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8/31/2021	37095

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James A. McKowen JAMES F. HUMPHREYS & ASSOCIATES, LC Second Floor 112 Capitol Street Charleston, WV 25301

RECORD NUMBER AND STYLE
21-1197 Jeffery L. Stanton v. Cory Elliott, et al.

TERMS	LEX REP	FILING DATE
Net 30/1	LGJ	8/27/2021

DESCRIPTION	QUANTITY	RATE	AMOUNT
Brief of Appellant - Additional Court Copies/4th Circuit (4 copies of 57 pages = 228)	228	0.15	34.20
Reply Brief of Appellant - Additional Court Copies/4th Circuit (4 copies of 22 pages = 88)	88	0.15	13.20
Volume I - Joint Appendix - Additional Court Copies/4th Circuit (4 copies of 480 pages = 1,920)	1,920	0.15	288.00
Volume II - Exhibits - Joint Appendix - Additional Court Copies/4th Circuit (4 copies of 10 pages = 40)	40	0.15	6.00
4 CD's for Volume II - Exhibit Joint Appendix	4	6.00	24.00
Net 30/1.5% monthly late fee/Federal Tax ID 11-3707249		Total	\$365.40

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